

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, April 19, 1988 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilman

Also Present: Patricia Moore, Town Attorney
Irene Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski, "I think, in the audience, we have department heads of government should anyone have any question concerning the operation of various departments. Reports Mrs. Pendzick."

REPORTS

Tax Receiver-Collections as of 4/11/88-\$16,265,787.56. Filed

Planning Board-Minor subdivisions of G. & M. Klatt and Matthew Bloom are approved; minor subdivision of E. Allan and G. Beylerian is denied; approved conveyance of land by S. Albrecht. Filed

OPEN BID REPORT - Eastlawn Renovation Filed

Bid Date: April 14, 1988 at 11:00 a.m.
12 Bids Submitted

#1 **NAME:** Lipsky Enterprises, Inc.
ADDRESS: 609 Montauk Highway, Bayport
TOTAL BID: \$224,550/General Construction

#2 **NAME:** Garrett Construction
ADDRESS: 310 Baltimore Avenue Extension, Oakdale
TOTAL BID: \$236,841/General Construction

#3 **NAME:** Island Pride Construction
ADDRESS: 9 Amsterdam Avenue, Medford
TOTAL BID: \$302,750/General Construction

REPORTS, Continued

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- #4 NAME: William Wyer Contracting, Inc.
ADDRESS: 17 Hawkins Path, Coram
TOTAL BID: \$351,042/General Construction
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- #5 NAME: Mid-Island Plumbing & Heating
ADDRESS: 30B Carlough Road, Bohemia
TOTAL BID: \$16,990/Plumbing
\$43,490/Heating
-
- #6 NAME: Computer Comfort Systems, Inc.
ADDRESS: 591 Bicycle Path, Port Jefferson
TOTAL BID: \$34,800/Heating
-
- #7 NAME: Morchel Heating & Air Conditioning
ADDRESS: Main Road, Mattituck
TOTAL BID: \$37,500/Heating
-
- #8 NAME: Heating & Piping Specialists
ADDRESS: 435 Brook Avenue, Deer Park
TOTAL BID: \$65,600/Heating
-
- #9 NAME: J. Greaney Heating & Air conditioning
ADDRESS: 551 Broadway, Massapequa
TOTAL BID: \$123,324/Heating
-
- #10 NAME: Duffy electrical
ADDRESS: P.O. Box 816, Bayport
TOTAL BID: \$36,100/Electrical
-
- #11 NAME: DiFrancia Electric Inc.
ADDRESS: 454 Blue Point Road, Farmingville
TOTAL BID: \$79,640/Electrical

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REPORTS, Continued

OPEN BID REPORT - Horton Avenue Regrading/Landscaping

Filed

Bid Date: April 14, 1988 at 11:10 a.m. ✓
2 Bids Submitted

#1 NAME: Mid-Isle Excavating
ADDRESS: Old Bethpage, NY
TOTAL BID: \$67,750

#2 NAME: Laser Industries
ADDRESS: Ridge, NY
TOTAL BID: \$131,278

OPEN BID REPORT - Pulaski Street Sidewalks

Filed

Bid Date: April 14, 1988 at 11:00 a.m.
3 Bids Submitted

#1 NAME: Rose General Contractor
ADDRESS: Lake Ronkonkoma, NY
TOTAL BID: \$13,070/Total Bid
\$16,020/Alt. A
\$22,910/Alt. B
\$28,990/Alt. C

#2 NAME: East Area General Construction
ADDRESS: Southampton, NY
TOTAL BID: \$12,350/Total Bid
\$15,596/Alt. A
\$21,780/Alt. B
\$28,446/Alt. C

#3 NAME: Melos Construction Corp.
ADDRESS: Miller Place, NY
TOTAL BID: \$12,550/Total Bid
\$13,510/Alt. A
\$22,240/Alt. B
\$24,288/Alt. C

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REPORTS, Continued

OPEN BID REPORT - Manhole & Catch Basin Covers/Highway Dept. Filed

Bid Date: April 18, 1988 at 11:00 a.m.
1 Bid Submitted

#1 NAME: Wilson Casting Supply
ADDRESS: Riverhead, NY
TOTAL BID: \$5040.00

OPEN BID REPORT - Concrete Drainage Rings/Highway Dept. Filed

Bid Date: April 18, 1988 at 11:10 a.m.
1 Bid Submitted

#1 NAME Suffolk Cement Precast
ADDRESS: Riverhead, New York
TOTAL BID: \$12,962.00

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS & PETITIONS

Site Plan-Wading River Baptist Church. Filed

Site Plan-(Revised)-Riverhead Medical Office Building. Filed

Parade Permit-Riverhead Fire Department/5/1/88. Filed

Petition-8 Residents of Greenbrier Road request permission for water hook-up to Shorewood Water Co. Filed

Change of Zone-Louis Bonavita & Sons (Route 25, Aquebogue requests Business "B" from Agricultural "A"). Filed

Petition-78 signatures of Wading River citizens requesting denial request for permission to fly model planes in their area. Filed

Change of Zone-Richard Visone requests change of Agricultural "A" to Business "CR" on Route 25, Calverton. Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Jesse Goodale-Requesting consideration of financial support for hospital.

Filed

Riverhead Fire District, 4/2/88-Advising designation as lead agency for construction of addition to Second Street Fire House and submitting Environmental Assessment Form.

Filed

Howard & Grace Downs-Asking Town Board not to become involved with Landfill problems of Southampton Town.

Filed

Allen Smith, 4/12/88-requesting forbearance of any further action until current owner/developer substitutes his own letter of credit for that of Mr. Entenmann's.

Filed

County Legislature-Advising adoption of memorializing resolution re: Land Bank Legislation approved at 4/12/88 meeting.

Filed

Allen Smith, 4/15/88-Advising that Ms. Brown's statement at 4/5/88 hearing re: Kart application is not consistent with her statement at 2/23/88 hearing on Deerkoski application.

Filed

Supervisor Janoski, "Thank you. I have two minutes remaining before the first scheduled public hearing. Is there anyone who would like to be recognized on any subject?"

Ed Powers Aquebogue, "Again this year, I'm asking, as every other year, when are they going to start working on the beaches? Iron Pier Beach is in a disastrous condition. It will probably take about four months to get straightened out. If you ever take a look at that launching ramp that you have there on a windy day, I would close it if I were you because somebody is going to sue you and they would take the whole town away. If somebody gets hurt there, it's going to be a disaster. All the beaches are in bad shape. Nothing has been done since two years ago. We now, are supposed to have money. We should start working on them now."

Supervisor Janoski, "Thank you. One minute left. Anybody want to say something nice? Let's do a resolution."

RESOLUTION #299 found on page 587 of resolution book.

Supervisor Janoski, "That very nicely takes us to 7:45 p.m. Let the record indicate that that time has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, April 19, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: Special Permit Application of Greg Gentile to fly model airplanes at Route 25, Wading River.

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you. Ms. Town Attorney."

Patricia Moore, "This is a special permit application for Greg Gentile. The property is located on Middle Country Road and it is approximately 23.6 acres. One acre of which will be used for the model airplane flying site. The Planning Board did make a recommendation that this special permit be approved with the following conditions: that the hours of operation be restricted from 9 a.m. to 6 p.m. or dusk, whichever is first; due to the character of the land to the west and the potential for construction, more residents within the area, the permit should be made renewable and the application should be requested that every possible means be made to restrict the flight of the model airplanes over lands of Greg Gentile. This, as a special permit, does require the approval of the Board and we have a public hearing for your comments."

Supervisor Janoski, "Thank you. The purpose of this public hearing, of course, is part of the process of a special permit application. In which one of the requirements is, giving the public an opportunity to express their opinion for or against the applicant and the application. Because there is such a large crowd here, I would advise you that we do observe a five minute rule with regard to the time that you have to address the Board. This is not a question and answer period between a person having the floor and the Town Board or anyone in the audience. And I would ask you to refrain from carrying on a discussion with people in the audience or an argument. Mr. Gentile, is there anyone representing you or are you representing yourself?"

Greg Gentile, Applicant, "Mr. Supervisor and Town Board. I am a resident and owner of the parcel in question. The reason I'm here tonight is to ask for the approval of the flying field. The only comment I'm going to make, we already discussed various proposals. I just want to bring up the part on the Planning Board. They proposed.... I'd like to make recommendation to the Town Board in regards to the issuance of the special use permit. That possibly, we could work on the hours. Make it a little bit later in the day that we start flying and that possibly we end at dusk or along those lines. Also, on the renewal of the permit, I wish to seek something around the lines of possibly a three year or four year permit. Something that I wouldn't have to come every year to renew just so we wouldn't get tied up with paperwork and everything all the time. Other than that, I'll leave the floor open for any comments. Thank you very much for your consideration."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board. Yes sir."

Leo DiPierro, Wading River, "I'm opposing this proposed airport. I have discussed this with 83 of the immediate residents. And of the 83, 78 of them signed the petition. I've shown each of them news article pertaining to the situation. In other words, quotes, for Mr. Gentile and myself. I would like to address the Board. I'd like to begin by saying that I'm not totally against the sport of flying radio controlled planes. What I do strongly protest is the area which Mr. Gentile decided to choose to fly these models. They're just too dangerous and too noisy for the

PUBLIC HEARING, ContinuedLeo DiPierro, Continued

immediate area where they are flown. I'm referring to the range that these plans are capable of travelling. Quote from Mr. Gentile, a half mile radius or I can say one mile straight. Mr. Gentile mentions the fact that this is a very safe and controlled sport. If so, why does a plane occasionally crash on my property? If these planes are so controlled, then why, during the two years of flying without town permission I might add, have certain club members known as the Flying Eagles, constantly (and I'll use their term) overfly my property and occasionally, my house? Against my many protests and many confrontations. I have included in the papers that I've given you, an incident where the club was putting on a show in Shea Stadium. For no reason, individuals can not explain, the operator lost control and hit two young fellows and one of them died. Mr. Gentile also suggests that the noise created by the planes, two cycle engines, especially when the wind is blowing in the wrong direction while in flight and I might add, during maneuvers, is no louder than a tractor. That's like me suggesting a rotor lawn mower or chain saw revved up at high rpm is no louder than my pick-up. I have an article from the layman's law book which I would like to read. It states that I am entitled to the quiet of my property. If you would just bear with me a minute, I'll find it here. It says; intentional references with your property. Just as you have a right to freedom from interference with your personal rights. So you have a right to freedom from interference with your property rights. You have a right to unrestricted enjoyment and use of your real and personal property. Your right to the quiet and enjoyment of your property protects you not only from trespassing by uninvited persons but from certain things that nearby landowners or tenants may do on their own property that cause you undue annoyance, inconvenience, discomfort or injury. I've tried to tell Mr. Gentile that these are considered nuisances. I've gone to the Riverhead Police Department and they agreed with me that they were nuisances. I tried to be a nice individual, never call the police to report any of them which I could have on many occasions. Moreover, I understand these model planes are prohibited within five statute miles or 26,400 feet of an airport. I am certain that the Grumman Defense Plant and airfield is all within the model flying area. I also understand that any model flying activity would have to be coordinated with the Grumman flying activity. These are the jets that are defending our country. I was told this by the commander lieutenant, Navy Commander in charge of Grumman operations. Now, I don't know. I'm hoping he, I'm assuming the man has enough intelligence to tell me this. I don't think he wants to fly a plane over these. If a permit is granted, will the landowner be required to construct restroom facilities? Will the landowner be required to provide blacktop for parking facilities and whatever else is necessary to operate a model airport? If a special permit is granted, will you indirectly be asking me to stay within the confinements of my house or maybe leave the premises while they enjoy the sport for fear of being struck by one of these flying objects or to drown out the noise made by them? And finally, I don't think I should be subjected to this type of harassment. I think it's unneighborly, unfair. And I personally think that Mr. Gentile or certain members of his club and I might add certain because there are some decent fellows in the club. I've spoken to a few of them who plan to fly from his field, couldn't care less for the consideration of

PUBLIC HEARING, ContinuedLeo DiPierro, Continued

the surrounding neighborhood. I'm not asking the Board to decide who is right and who is wrong or rather, what is right for the good of the neighbors involved. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to be heard? Yes sir."

Ivan Goldfarb, "Mr. Janoski, members of the Board. My name is Ivan Goldfarb. I'm president of Long Island Flying Eagles. I welcome this opportunity to speak to you and address some of the issues that Mr. DiPierro raised. We are not insensitive to his remarks nor are we insensitive to the communities that we locate ourselves in. To the contrary, we are very sensitive about that and we want to be good neighbors and that's the whole thrust of our model airplane club and the thrust of our locating ourselves in certain communities where we feel we would be welcome. We have been welcomed on Fink's farm of Gentile's property. And it has been, for the most part, a very positive experience. Unfortunately, we've reached an impasse here and there has been this situation which has arisen. There have been some guidelines that have been mentioned by the Town Planning Board and we certainly will conform to those guidelines and the other guidelines that you develop. We also have taken some measures that I think will alleviate some of the problems that DiPierro has addressed. During the morning hours and while the sun is obscured or not in our eyes, we can relocate our pit area which is an area where we place our cars in flying. We will relocate that in such a way that none of our planes will fly definitely in the southwest quadrant of this location. It would mean, for a pretty substantial period of time during the day that there is no way any plane could ever encroach on Mr. DiPierro's property. When the sun is shifted about and is in our eyes, then we relocate our pit area. We will change the access of the field that we currently fly on and hopefully, that also, we feel, will keep us from any tendency to be over Mr. DiPierro's property. I might add that I seriously doubt that any plane has ever flown over Mr. DiPierro's house. As a matter of fact, I know none has. For the simple reason, none of us could see a plane that far away and we don't fly planes a half mile away because we can't see them that far unless someone, no one that I know of has eyes that good. The fact of the matter is, the planes are usually within a 75 to 100 yard radius of where we are because you have to see the wings to fly them. We have never had a plane from our club crash on Mr. DiPierro's property. There was one incident last Mother's Day and I happen to be out there on that day, where two uninvited guests came to the field and flew a glider. Neither one of those members or people or individuals are members of our club. That plane did land on Mr. DiPierro's property somewhere in the proximity of his fence. And I think he spoke to them and he was very pleasant as I understand it. But that had nothing at all to do with our club. We have never had an incident on Mr. DiPierro's property. So I think that would set the record straight in regard to that. I might also add that a substantial number of the planes that we fly, have engines that are four cycle engines. They're quite unobtrusive and they really are almost noiseless. Particularly in the air. Our two cycle engines that we run, we've taken measures to ensure that they will conform to A.M.A. guidelines which have been established to determine noise levels that are acceptable to individuals and we

PUBLIC HEARING, ContinuedIvan Goldfarb, Continued

will make sure that we conform to those guidelines. Insofar as safety goes, we have a code of safety for many many years. Of all these years of the club's existance, we've never really had any kind of serious accident. We adhere to that code of safety. We're very conscious of it. No flyer in our club who has not soloed, who has not demonstrated skill, can fly alone. We have not taken any risks either with own property and well being and health or anyone else's and we're very conscious and aware of the need to address the safety issue. And if there's one thing you could say about a club is that it is safety conscious. Once again, I'd like to thank you for the opportunity to speak and I hope we have shed some light on the situation."

Supervisor Janoski, "Thank you. I will recognize anyone else who wishes to address the Board. Yes ma'am."

Peter Southworth, Wading River, "My land is right next to Mr. DiPierro's and I have seen on several occasions, that me and my friends were back on this property and they have flown over the property. They have flown over the house a couple of times. My father, last year, I don't remember the date, I believe he said at the last appeal, last Board meeting not the last one. He said at the last time this was brought up that he was at his property and he heard a plane and he went down to by Mr DiPierro's property and Mr. DiPierro was not home. He saw a plane crash in the middle of the road. Behind him was a motorcyclist. If this plane had hit the motorcyclist, he would not be alive. If this plane had hit his house, it would have burned it down. It was not a glider and that's really all I can say. I'm not against the flying, but not in this area. It's too populated. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Board? Yes."

Tony Cachenko, "Ladies and gentlemen, I was the president of Long Island Flying Eagles. I was the vice president for five years and the president for approximately two years. And I wasn't going to get up here tonight to speak because I feel that we have enough qualified people to do that. But some of the statements that are being made here, I just really can not sit down and let them go by. And it's for the simple reason that the A..M., the American Modelling Association, the people that belong to it are very responsible people.' Our airplanes are not toys. We realize how dangerous they are. That is why we do everything that we possibly can to fly them in a safe way. Myself and the members of my club, have put on numerous shows at the request of Brookhaven Airport in front of thousands of people. We've put on numerous shows at Sunken Meadow Park in front of thousands of people without ever having one crash, without ever having one incident that could in any way, endanger anybody. And we do that through various steps such as having good equipment that we pay a lot of money for. Constantly check it to make sure that it's within the certain standards that we're supposed to have our radio equipment in and we have certain safety guidelines that we always obey for ourselves for our own liability and the people that surround us. I've been in this

PUBLIC HEARING, ContinuedTony Cachenko, Continued

army since I've was eight years old and I'm now 41 years old. I was at Shea Stadium when the incident that this gentleman talked about. It was a tragic accident. How it happened, I really don't know. But when you fly a model airplane in that kind of proximity with people closely around you in the 360 degree pattern, you're asking for trouble. They were much too close. It was sanctioned by Shea Stadium. It was an accident and it happened. This is why when we set up the field, we set it up in such a way that nobody is any where near where these models will be going. I heard a few statements that an airplane crashed on the road. That airplane went over Mr. DiPierro's house. These model airplanes, for the most part, are approximately five to six feet of wing span. If you take that model airplane and you put it up 200/300 feet in the air, over Mr. DiPierro's house, myself (and I feel I'm a very qualified pilot) and anyone else who flies model airplanes, would not be able to see the airplane well enough to control it. If this happened, we would constantly crash our airplanes. None of us have ever crashed on the road or any where near Mr. DiPierro's house or any where on his property. I just want to set that straight. I really feel that this hobby is a great hobby. Unfortunately, we are running out of room which is obvious. The property is very expensive, especially here in New York and we are slowly being pushed out. We found an area that we were welcome. We've done everything we possible can to make it a safe and enjoyable hobby. I, myself, when I was the president of the club, invited Mr. DiPierro to join our club or at least come there and fly with us. We would teach him how to fly to show him about the hobby and he was just disinterested which is his prerogative. But we are not abusive to anybody and I really just wanted to set those few points straight. Thank you."

Councilwoman Civiletti, "Could I ask a couple questions? You said the wing span was five to six feet."

Tony Cachenko, "On the average airplane approximately, yes."

Councilwoman Civiletti, "And what's the length of a plane?"

Tony Cachenko, "Well, it depends on the airplane. Usually the length is about the same as the wing, sometimes a little bit shorter. So the length on an average airplane, I'd say, would be about four feet, four and a half feet."

Councilwoman Civiletti, "And what do these crafts weigh?"

Tony Cachenko, "Approximately, the average plane, about six pounds, five and a half to six pounds."

Councilwoman Civiletti, "About how many members are there of your club?"

Tony Cachenko, "I may be wrong. I believe there's approximately 34 active members. Forty-one."

Councilwoman Civiletti, "Does the president of the club want to get up and answer these questions?"

PUBLIC HEARING, Continued

Tony Cachenko, "If they are specifics of the club, maybe he better. The hobby, I can answer."

Councilwoman Civiletti, "What I was wondering is whether or not this site is intended as a base or place to be used for all the members of your club or exactly who would be using this site."

Tony Cachenko, "It would be the members of our club because they would be responsible to the owner of the property and to one another. It will not be used as an open airport as has been termed for anybody to come and use. It would not be paved in any way. It would be used, basically with the lay of the land. It's just a grass area that we mow and that's basically how it would remain."

Councilwoman Civiletti, "Does your club carry liability insurance for this activity?"

Tony Cachenko, "Yes we do. We have insurance through the A.M.A and each member of the organization, I may be corrected on this, has it changed recently, is a half of million dollars for personal liability and the owner of the property is also insured for one million dollars I believe for his liability."

Councilwoman Civiletti, "I would like to know whether or not the is any form of training for people who participate in the club to join. If I wanted to become a model airplane flyer, what would I have to do to participate?"

Tony Cachenko, "Well, each club works differently. But the majority of the clubs work basically the way we do. What we do is we have several very experienced pilots in the club who are deemed instructors. If you are a new member and you want to join our club, our particular club, we would have you come down to our meetings and come to the field. Not to participate but just to watch so we get to know you to make sure you're the type of responsible person we're looking for. Again, we always come into problems with people looking at us like we're trying to go out of our way to annoy people and we are not. So we have to be careful with who comes in our club. Once we're satisfied with the person that way, he's put to a training program. He buys his own equipment. We more or less guide him as what to buy and he goes through a training program. And what we have is an umbilical cord, if you will. It's a connection between both radios. The student's radio and our radio. If I had one, I could show you. I don't have one here. But all the controls to the airplane are given through this command box which are approximately a foot square. We take the airplane up. We get it at a very high, safe altitude. We like to call it three mistakes high because you can make three mistakes before you get in anybody's way."

Councilwoman Civiletti, "How high is that?"

Tony Cachenko, "Approximately I would say about 300 feet or so and right basically in front of you. And the student, at that point, would be instructed on just how to fly the airplane. If he is having a problem, the instructor can immediately, by just pressing a button on his radio, take the controls away from the student and he can fly the airplane. The student would go through this series

PUBLIC HEARING, ContinuedTony Cachenko, Continued

of tests. Sometimes it would take six months depending upon on fast he learned. Sometimes it would take a year. He would only be able to take the airplane off and land it as the last few steps after he has shown that he can control the airplane in the air. I would say it takes approximately, for the average flyer, one full year to where he's a novice into the hobby until he's an experienced pilot to where he can fly on his own. Again, it depends on.... We've had people learn within three months and we've had people for a couple of years which still are not on their own."

councilwoman Civiletti, "Is there any sort of formal certification or is it a concensus of the members or the president?"

Tony Cachenko, "We have like a... It's a concensus of the china, the instructor I should say. The guy that is teaching him how to fly. He's usually... I believe we have about six in our club now. He's usually one of the best flyers in the club. And if he says this person is qualified now to fly on his own, it means he has taken him up (literally) a hundred times and has watched him as he has takes off and lands and what have you and he's confident that this man can fly his airplane in a safe manner. And then he would progress from the training airplane to perhaps a little more difficult airplane to fly. And then once again, he's watched to make sure he's capable on that particular airplane. It's sort of like a long learning process. It isn't an overnight type situation. There is no real formal certificate or something like that if that's what you mean. There isn't anything like that."

Councilwoman Civiletti, "And it's up to the members of the club."

Tony Cachenko, "That's correct."

Councilman Boschetti, "I have some questions Mr. Chairman. We were given a map. I don't know if you've seen it. It was submitted by Mr. DiPierro. I would like to verify some of the distances that are shown on this map. I assume you're familiar with the property."

Tony Cachenko, "I'm familiar with the property but not really the map. Perhaps the owner of the property would have better information as far as distances and everything like that."

Councilman Boschetti, "Well, we all have a copy of this. Could you just come and take a look at this map? I just want to verify some of the distances. You have that in front of you now. Do you see on the map where it indicates that there is club property being rented and the distance of width indicated is 340 feet?"

Tony Cachenko, "I'm looking for where it says 340 feet."

Councilman Boschetti, "On the extreme right side. Is that an accurate dimension?"

PUBLIC HEARING, Continued

Greg Gentile, "I would say no. I have a survey here which is done by a licensed surveyor in the Town of Riverhead and I think his measurements are a lot more accurate than the dimensions that are given there. The width of that particular piece of property alone, is (Excuse me. Bear with me one moment while I get the survey out.) three hundred...."

Patricia Moore, "I have it in front of me. It's 365.44 is the width of the parcel."

Greg Gentile, "Right. The 365.44 is the width of our property in that particular area."

Councilman Boschetti, "Alright. I heard a statement made earlier, I believe by Mr. Goldfarb if I'm correct, that typically, a radius of flying (the distance) would be about 75 to 100 yards. Is that correct? Did I hear correctly?"

Greg Gentile, "Yes."

Councilman Boschetti, "And then further, I heard at no time do the planes overfly (as you call it) any of the neighboring properties. It seems to me, I have a basically math problem here. Because if you have a radius of 100 yards, that's 300 feet. It ends up in a diameter of over 600 feet. Now, if you have a 600 foot circle on a 360 foot parcel, it seems you're overflying something. Now, am I missing something here or what?"

Greg Gentile, "We don't fly in a circle though. We don't fly in a circle. I see the point you're getting at. You're flying in a circumference. We don't fly in a circle. When you say 300 feet, that's what we limit our span to. Also, because of the confines of the property. In other words, we don't stand there and go out 300 feet and fly in a circle or go 600 feet and fly in a circle. We confine it to the property line as much as possible. Obviously, what doesn't show up on these maps is the wooded area behind the model airplane field which obviously, adjusts the airplane altitude to compensate for the tree level. Other wise, we hit the trees. As far as Mr. DiPierro's property, we adhere as close as possible to the property line. I'm not going to say to you that on any certain day the plane hadn't overflown the property line. But I will say, that at no time to my knowledge, did the plane ever go near his house or fly over his house. Obviously, when a plane is up in the air according to altitude and you're standing (like) a 100 feet away from it and you're up another 75 feet and you're looking at a distance, you can't say within 10 feet or less that it's within the property line. We try to gauge as much as possible as far as what we can judge. But I'm not going to say that at times, we didn't overfly property lines."

Councilman Boschetti, "Ok. Then the statement would be it is possible."

Greg Gentile, "It is possible, sure."

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PUBLIC HEARING, Continued

Councilwoman Civiletti, "Mr. Gentile, what controls are you going to have in place over the use of your property by club members?"

Greg Gentile, "As far as what are you..."

Councilman Pike, "Other conditions in the lease for example."

Greg Gentile, "There's no condition in the lease. Other than whatever conditions the Town Board wants to us to have as far as the flying hours, restrictions as far as permits. They have a safety that they have to abide by as far as the A.M.A. The only other restrictions that I have is they abide by is all the ordinances and laws (obviously) within the state, comply with their own safety rules. If a member comes out and does not fly by safety rules, he's not only endangering the club's reputation, the permit that's going to be issued but it's going to possibly endanger the airplane or anybody that might be in the vicinity. So therefore, anybody who violates any of these safety regulations will be severely disciplined or possibly dismissed from the club."

Councilwoman Civiletti, "What I'm getting at specifically is if a member wanted to come out and use your property. Would he or she have to clear the use at that particular day, time, etc. with you?"

Greg Gentile, "No. I just don't want them flying at crazy hours. That's one of the reasons I mentioned it to the Planning Board. I don't want to see someone there at 5 o'clock in the morning on a Sunday morning flying an airplane. Certain conditions I want. Certainly, don't start any earlier than possibly 10 o'clock and flying until dusk and things like that."

Councilwoman Civiletti, "I'm sort of concerned about supervision. We've had testimony here that there's a certain amount of formal training that goes into learning how to be a model airplane flyer. I would like to know what controls you propose to have that would prevent somebody who is not yet ready to fly on his own from coming to your property and doing so."

Greg Gentile, "Well, anybody that's a member that's not yet checked out, wouldn't be allowed on the field to begin with. There is no way I can stand at the gate and check each passport and say, have you been checked out or haven't you been checked out. I'm going to have to take him on his word. If I found out at a meeting that he was flying at the field and he hadn't been checked out, then I'll approach the president and have him take some kind of disciplinary action."

Councilwoman Civiletti, "What do you mean checked out?"

Greg Gentile, "Well, he's checked out and he can fly the airplane and he's passed the instruction course that Mr. Cachenko talked about. In other words, a person is not going to go to the store and buy a model airplane and become a member of the club and go right to that field and fly it. He may get away with it once because I don't know."

PUBLIC HEARING, Continued

Councilwoman Civiletti, "What controls are you going to have to prevent that?"

Greg Gentile, "The only thing to prevent it is to get a list of the members that have been checked out which is the membership right now. And if there's anybody that's not on that list, I can prevent them from going on that field. Obviously, if I find out that he is on the field, I will prevent that. He is not going to fly."

Councilwoman Civiletti, "My point is, are you or somebody in your behalf going to be there at all times?"

Greg Gentile, "We're not going to supervise 24 hours, no. Nobody in my family or myself are going to be there constantly."

Councilwoman Civiletti, "Ok. That was my question."

Councilman Pike, "This leads me to a couple of others. You are planning or not planning to allow the training process that he talked about to go onto the site."

Greg Gentile, "Yes."

Councilman Pike, "Ok. That's what I thought. The 300 foot limitation; you're talking to somebody here that has stood at one end of the football field and looked longingly at the other end of the football and realized how long a distance that could be. But is that limitation basically when you start losing visual control or being able to see what altitude it's in or is that a safety rule?"

Greg Gentile, "I would say yes, both. It's like we tried to explain before as far as the airplane. The airplane, when you see it on the ground next to you, it looks like a big airplane. The minute it starts getting a distance away from you, it gets very small very rapidly. And the further you fly away, the further it gets and you can't see what it's doing. So we have to keep it somewhat within our own limitations. So it wouldn't be flying like (a quote was taken, in fact, it was a misquote) about a half a mile range. Yes. The electronic devices that we do have, line of sight, have a capability of a half mile. Obviously, no one in this room, unless there's someone here I don't know about, can fly an airplane a half mile away from him and control it. I mean, you're going to have to be quite big and really have good eyesight. The further you go, the harder it is to fly an airplane. So we try to stay within reasonable distance of ourselves."

Councilman Pike, "The final question is something that Denise was pursuing. The fact is, the permit that we would issue would control your ownership and your use of the land and what you could turn around and lease to somebody else. Would you be willing to have your lease with this particular club, incorporate whatever protections that we require of you be turned around and required of them? So that in the event that they violate them, you could be faulted on the lease. That would be your control over them."

PUBLIC HEARING, Continued

Greg Gentile, "Like I said, I'm getting it because I am the landowner of the property with my wife. But obviously, any restrictions you put on me, yes. I would like to see it incorporated to the club. In other words, if a club member other than myself, if a club member should come and fly on that field and violate these conditions, then it would jeopardize the whole club."

Councilman Pike, "And you do anticipate or you already have entered into a formal lease, written lease?"

Greg Gentile, "Not really. It's just an agreement we've come to."

Councilman Pike, "If we suggested that,...."

Greg Gentile, "If you suggested that, we'd abide by it."

Councilman Lombardi, "Greg, how many spectators do you get there?"

Greg Gentile, "I've never really taken notice as far as a head count. On a Sunday usually when church is over and the kids are out in the summertime, we get a lot of kids from the surrounding neighborhood, Panamoka area. I could say maybe five or ten people on any given day. It just depends on what the kids are doing. Usually they're walking through the woods and they may know the members are there. So they'll go over and watch the airplanes and then they'll tell the next kid and they'll show up. It's never gotten out of control as far as a thousand people showing up or anything like that. If that condition was to develop, then we'd have to approach the issue. I'm sure not only with the club but with the Town Board."

Councilman Lombardi, "And how high do these planes go?"

Greg Gentile, "Like I said, it varies. The capability, you can go straight up, I believe, a half of mile. As far as actual range, it's what you feel comfortable as far as controlling our plane. You can fly it straight up and get it out of sight but you have no control over it and you don't want to. You talk about losing an airplane. These airplanes cost a nice piece of change. The last thing you want to do is wreck it. Plus all the time and effort put into it. They don't come fully assembled. Many hours are putting into building these airplanes from balsa wood, painting them, doing what you have to do with them. It's not something you readily want to destroy."

Councilman Lombardi, "Thank you."

Councilwoman Civiletti, "Can I just ask one more. Where else do you fly apart from on your property?"

Greg Gentile, "Right now, I just fly on my property. The club itself, has a field in Middle Island but I understand it's being developed by houses. I've never flown there myself. I've gone there a couple of times to see the guys fly. But as recently as last week, I've seen ground breaking for development."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you Greg. Way in the back there."

Jeff Simmons, Port Jeff, "Professionally, I am the Episcopopol Priest in charge of the Episcopopol church in Port Jefferson. And I would like to speak in favor of this and I'd like to try to make the Board aware of some of the values of this that it has personally for those of us who are involved in it. I'm the father of a 13 year old son and he and I both joined the club three years ago when he was 10 years old and I treasure the experience because it came right about the time when my son was starting to look for a peer group outside of just mom and dad. And becoming involved in something like this, gave him a peer group of people that I was very proud to have him involved with because it was by and large adults. It was people who were very very responsible. It was people he could see as role models. And as a result of that, this whole experience of learning how to fly together, has brought us a great deal closer together and it has given him an opportunity to learn a tremendous amount of aerodynamics in terms electronics. He designed his own plane when he was eleven and believe it or not, it actually flew. It has given him a tremendous amount of satisfaction. It has given me a great deal of satisfaction especially because he flies better than I do. We have this little competition. Right now he's winning. But in terms of fathers who are involved with their sons in something like this, it's a tremendous bonding experience. It's tremendous way of teaching responsibility. It gives the youngster tremendous motivation to learn and a lot of skills that are going to send him in a very good field in the future. He's talking now of hopefully becoming an airplane designer professionally when he grows up. And there are a tremendous of really valuable aspects of this hobby that I'd like to just impress on you. Thank you."

Supervisor Janoski, "Thank you. Joe."

Joe Sykora, Riverhead, "Good evening. I would like to know if any of the airplanes have been monitored for noise. And Mr. DiPierro mentioned about parking and toilet facilities which I think should be there. And I would like to know if the airplane club is going to have exhibitions and tournaments. Because some clubs get together and they have fly laws and that could lead into a thousand to two thousand people. Because they have fly laws in Eisenhower Park and Nassau County and in Sunken Meadow and in Brookhaven Airport and that would cause a nice traffic jam. That's all. Thank you."

James DiPierro, Wading River, "As Mr. Gentile just said, he said him and his members of his club just try to remain as close to his property border as he can. To put it bluntly, he's lying. I have been there on many many occasions where him and his members have flown right over Mr. DiPierro's property."

Supervisor Janoski, "Let me just say one thing. Talk to us and try not to call anybody a liar."

James DiPierro, "Right. Sorry about that. Maybe he's not a liar. Maybe he wasn't there but there were so many occasions where they have flown right over Mr. DiPierro's property and right over his house as if to antagonize him. And I've also been there on occasion, maybe they weren't there, and the planes have crashed. I'm

PUBLIC HEARING, ContinuedJames DiPierro, Continued

not saying they crashed on Mr. DiPierro's property. They have crashed near it. I've seen them crash very close to the border by Mr. Gentile's and Mr. DiPierro's property. It was so... What is to say they could not crash over Mr. DiPierro's? And it's so hard for me to sit back in my seat and listen to all these people talk about how good it is. They mention that they never fly over Mr. DiPierro's property but I've seen it happen. It's so hard to stay in my seat and listen to that. I've seen them fly over his property so many times, right over his house. I've seen them go as far as the road and they say that they try to remain 75 to 100 yards to his property. It's just not possible. His land is just not big enough. It doesn't have the capacity to have all those planes flying over it. They fly right over Mr. DiPierro's property. They go right over his house. It's ridiculous."

Supervisor Janoski, "Thank you. For the future, when you want to say someone has mistaken or so and so has mistaken is a good way to put it. Way in the back there with the red tie."

Jeff Stiles, "Mr. Chairman and members of the Board, I don't live in Riverhead. I use to live in Flushing many years ago. Long Island is short changed. I'm with the Academy of Model Aeronautics out of Washington D.C. and we're the national association for people who like to go and fly model airplanes. And of course, we're interested in a lot of clubs and that's the reason I'm here this evening to speak on behalf of the club. We've heard a lot of information about safety and I'd like to leave with you, a report of 1986 from the Consumer Products Safety Division and model airplanes come about 300th down the list. Bicycles, tennis, baseball, falling down the stairs, tripping around the house; way up the list. The model aviation game is not a cheap game to be in. It's a sport. It's an international sport. Many of the people that belong to the academy such as Bert Rutand who built and designed the voyage and flew non-stop and non-refueled around the world and Bob Gibson who flew the last successful shuttle flight and Paul McCrady who's Gosimer Conger is hanging in the Smithsonian and even the fellow who took off in 1929 from Roosevelt Field, Charles Lindbergh. They were all model airplanes enthusiasts. And many many of our members are involved in aerospace, airplane design, research work for Nasa, work for the major airplane companies. So it's a serious sport and our members take it seriously. And to answer Ms. Civiletti's question about the checking out of a guy who is new to the sport as was pointed out, modelers have a big investment in the airplane and they don't risk it unnecessarily. And any modeller who is going to through a training course in order to learn how to use his airplane properly. And in order to get it back on the ground, every take off there has to be a landing. And we try to make those landings as safe and proper as we can. Model airplanes are supported by hundreds of communities around this country. The little town of Kasper, Wyoming has a paved strip, shelter, meeting house. I could name many many places but we haven't got the time. We've already taken a lot of time already. But it is supported by industry, by model airports that are allowed to use sections of full scale airports. When we had our national championships in Lincoln, Nebraska in 1979 and again in '87, we were on Lincoln Municipal Airport. We were sharing the air space with a fixed base operator with the commercial jets that were landing frequently

PUBLIC HEARING, ContinuedJeff Stiles, Continued

and with the Army National Guard. And as I'm driving to mention those facts because model airplanes are responsible people. Model airplaners are responsible people and we can share the air space. We work very closely with F.C.C. in terms of the radio frequencies that are used. We work very closely with F.A.A. in terms of aircraft safety and sharing the air space. We have the blessing of Honorable Allen McCarter who is the administrator of the F.A.A. In fact, he recently wrote a letter urging his regional officers to support and assist model airplane people and clubs where ever they can. Largely because in this country, at the present time, we're going through a problem in the aviation world. And the F.A.A. has just revitalized its education program for youths. The experimental aircraft association is doing the same thing. I'm not going to wave a flag and shout apple pie and motherhood as well, but this country has always been in the lead internationally in terms of aviation. And much of it started in someone's kitchen on the kitchen table building model airplanes. And that's a fact that can be substantiated and we find that through the scholarship program that A.M.A. administers. We put about \$25,000 each year into the scholarship fund for our members who are entering college. Many of those people have become involved in the aerospace scene on a national scale. Safety wise, it is a very safe sport. If it wasn't we could not get the insurance that we get; a million dollars and that goes for the site owner for liability coverage that he enjoys. In terms of training; each club has a training scheme. The training scheme that this club has was mentioned. Some are more formal than others. But no modeller is going to risk a new airplane without some assistance and he's going to be trained before he decides to make his solo flight. So those are the things I would like to say. Nationally, we have 130 thousand members and the sport is growing. It's a very creative, constructive, educational sport and it's great for old timers. I've been it. I started when I was seven. I was 58 last birthday. So I've been building model airplanes for 51 years. We have many people who are retired and I honestly believe that's one of the things that helps them to retain an interest in life instead of sitting down and vegetating. They have a constructive sport to engage in and plus the camaraderie of their friends at the flying fields. It's great for kids. It's great for middle aged people regardless of how you consider middle age. And it's certainly great for older folks. I appreciate having the chance to be here this evening. I'll be happy to leave what I brought. I have two envelopes which I'll bring up in a moment. Thank you very much for your attention. Thank you for hearing me."

Supervisor Janoski, "Thank you. Yes sir."

Nick DiPierro, Wading River, "I've lived in Wading River all of my life. It was very interesting so far to hear how good this model plane club is and how it's going to keep people occupied. But I have a recommendation. If this club insists on flying, let them fly next to the Gentile home and farmstand. Let them and their customers be annoyed and bothered by these planes flying over head. Let one of these planes possibly come crashing down next to one of the customers or the Gentile family. If we can believe what this club is telling us, there will be no danger to either the customers or their family. It's best to keep the nuisance in their back yard."

PUBLIC HEARING, ContinuedNick DiPierro, Continued

Supposedly, this club has been flying on a one acre portion of property for the last two years without any complaints. Well, I have to say there has been complaints. And I have to question, If you have a 40 member club flying over a strip of land that's 200 feet wide by 200 feet long or 100 feet wide by 400 feet long or however else you can arrange an acre, how long is it going to take for them to become bored with flying over such a small piece of property and then venture out over someone else's property? The fact is, this parcel that they use as a landing strip, is much larger than an acre. It's 365 feet by 750 feet. That's, in my book, close to 6 acres. And they still find it boring or impossible to fly over their own property. Mr. Gentile acknowledges that planes have, on occasion, flown over his neighbor's homes but not deliberately. It sure sounds deliberate to me. And I'm sitting in my car one time watching the planes fly, he comes over to me and asks me if there is a problem and he states to me that he can fly his planes anywhere he wants to just as the F-14's from Grumman's can. Well, from the way he's talking tonight, I think his attitude has changed. I certainly hope so. If you, as Board members, can visualize a model plane flying near or around your work area all day, it would sound something like this:"

(MR. DIPIERRO simulated the sound of the model planes comparable to an operative chain saw.)

Nick DiPierro, "I don't want to keep that going on for too long because it's annoying enough as it is to listen to it for a couple of seconds."

Councilwoman Civiletti, "What was that machine?"

Nick DiPierro, "That was as close as I could come to having a model plane flying over and I go over the old homestead an awful lot. Last year, the year before, whenever I went there, these planes were flying."

Councilwoman Civiletti, "Was that a tape of a plane?"

Nick DiPierro, "It's a facsimile. It's close to a plane. It's not a model plane. It's a chain saw. I'm not saying a chain saw. But can you imagine listening to a noise constantly for nine hours a day. That was annoying enough as it was. But we're going to listen to these planes flying from 9 a.m. to 6 p.m. After listening to this disturbance for only a few seconds, I was getting vibes to shut the d--- thing off. People were getting irritated. So far, now I think a couple of things have been mentioned about the way the planes have been flying. But not too much has been mentioned about the radius. No one said anything about the speed. These planes can obtain speeds up to 60 miles per hour or more. You don't have much time to move out of the way when one of these planes come crashing down at that speed. I think if this plane does get its permit, the number of members would quickly surpass the original forty. This would be the only club sanctioned by the Town of Riverhead. And I believe when word gets out, people will flock to the area. People were being told a couple of years

PUBLIC HEARING, ContinuedNick DiPierro, Continued

at the Wading River Hobby Shop, if they wanted to fly, to go to this farm up by 25A. The Riverhead Town Board would also be setting itself up for a Riverhead Racetrack type of a problem. When the racetrack first started up, hardly anyone was there to be bothered by it. If this model airplane club is allowed to operate, we'll have the same situation only in another part of town. Opponents of the disturbance caused by the racetrack, are told that the racetrack was there first. So don't complain. Well, we've been in that part of Wading River first and we want to put a stop to this disturbance before it starts. Also, Leo should not be deprived of what is known as opportunity costs. A perspective buyer can't be told that this permit may not be renewed. We would have no guarantee of that. Therefore, you would be placing limitations on the surrounding property by issuing this permit. Who would compensate for this loss? In closing, I would like for each one of you to consider this fact. The petition that Leo has presented to the Zoning Board of Appeals and the Town Board consists of approximately 80 people who reside and pay taxes in the Town of Riverhead. If a petition had names of people from Brookhaven Town, it would probably be considered invalid. Mr. Gentile is representing a group of people who, for the most part, reside in towns other than Riverhead. I think that the town residents should have a stronger voice concerning the happenings within the town. And if I could add a postscript of this, I would like to ask this Board to follow the example of Brookhaven Town and provide an area for a model plane club to fly. I've suggested this at a Zoning Board of Appeals hearing to contact the Public Relations Department at Grumman in Calverton. Perhaps, it would be more effective if a representative from the Town Board approached a Grumman Rep. at the next Chamber of Commerce meeting. Possibly something could be worked out whereby Grummans and the Navy would agree to let the Town of Riverhead use a portion of the buffer zone outside of the Grumman fence. And also, out of the flight path for a recreational area. Flying model planes over Pine Barrens land that the County owns, should also be investigated. Flying in these areas would have no adverse effect on any property owners such as what this club would have if they were granted a special permit to run the plane club in the area that want to fly. Thank you."

Supervisor Janoski, "Thank you. Mr. DiPierro, you can't come up again until after everybody who wants to talk has spoken. Yes sir. I've had the experience of having a public hearing on a real airport and I'm amazed of the similarities. Yes."

Martin Simonsen, "I'm with the United States Navy. We own property in Calverton. We're objecting to this basically because our airplanes are flying at that altitude during the departures and their landings. That's basically our problem with this whole situation."

Supervisor Janoski, "Can I ask you something. You work at Grummans?"

Martin Simonsen, "I work for the United States Navy at Grumman."

PUBLIC HEARING, Continued

Supervisor Janoski, "Are you here at their direction?"

Martin Simonsen, "I am here at the Navy's direction. The Navy owns the Grumman property."

Supervisor Jansoki, "I know that."

Martin Simonsen, "Ok. So we do not have a problem with them flying the airplanes when our airplanes are on the ground. You fire off one of our airplanes with a model flying into our engines, and it's going to cost us quite a bit of money and it's going to cost the public quite a bit of money because a fighter aircraft engine goes for something like 60/70 thousand dollars. As far as our buffer zones, that's a horse of a different color. We might be able to talk about something like that. That's basically all I have to say sir."

Supervisor Janoski, "Thank you."

Councilman Pike, "Could I inquire please. You raised a fairly serious question. It's true that every runway in the United States has a clear zone below it. I'm looking at the map of the alignment of the runways. Isn't it true that this particular site is not in the clear zone."

Martin Simonsen, "It's not."

Councilman Pike, "It is in the air installation compatible use zone."

Martin Simonsen, "No sir."

Councilman Pike, "The noise one?"

Martin Simonsen, "No sir."

Councilman Pike, "There are two."

Martin Simonsen, "No. It is in our flight path. Our runways run in an opposite direction to that piece of property. But when our airplanes take off, they take a circular path around and they pass over that property. They're passing at that property at approximately 225 feet."

Councilman Pike, "Do you have any system of knowing when flights are scheduled that could be broadcast or given public...."

Martin Simonsen, "Well, we would not do that sir. I don't think that...."

Councilman Pike, "All you have to do is open your eyes. I don't know what the big secret is."

Martin Simonsen, "You don't understand what sir?"

Councilman Pike, "What the big secret is when your planes take off."

PUBLIC HEARING, Continued

Martin Simonsen, "Well, we're not going to publish our landings and takeoffs. Yes, you can open your eyes, part on Route 25 and see our airplanes take off. Yes sir."

Councilman Pike, "Let me... I want to understand this because you're making a couple of serious statements here. You're saying that at no time would Grumman Aerospace, when they're testing a facility, advise the public that they are about to do so?"

Martin Simonsen, "No sir. That's correct sir."

Councilman Pike, "So that in your opinion, there is no way to create a window of opportunity for anybody to fly anything around Grumman?"

Martin Simonsen, "I'm not saying that sir. I'm saying that our airport is not flying on Sunday and our airport is not flying on Saturday. But on a regular business day, our airport is flying."

Councilman Pike, "The other thing I want to clear, who exactly is that you represent?"

Martin Simonsen, "The United States Navy."

Councilman Pike, "And who is it that asked you to come here today?"

Martin Simonsen, "The United States Navy."

Councilman Pike, "In particular."

Martin Simonsen, "The United States Navy. I am working for NavPro which is an arm of the Naval Air Systems Command."

Councilman Pike, "And they have an office located at the Grumman facility?"

Martin Simonsen, "They have an office in Calverton and our main office is in Bethpage."

Councilman Pike, "Thank you."

Martin Simonsen, "You're welcome."

Supervisor Janoski, "Thank you."

Albert Bech, Aquebogue, "My profession is, I fly for Grumman. I also belong to the Grumman Model Airplane Club that's been flying at Grumman for the last 14 years. We have permission from the Navy and from the airport to fly where we fly which is right outside the fence behind UPS. Also, north of us there is another flying club that has been flying for approximately six years. There's this club here sitting here tonight that wants to fly in the local area. We have no problems with safety. We are well coordinated. We tell the tower when we fly. This has been going on ever since the club has been in existence. We have 50 members in the Grumman Flying Club and the majority of them are local people. Now, the area that this

PUBLIC HEARING, ContinuedAlbert Bech, Continued

gentleman from the Navy is talking about lies directly in the path of the runways. Most airports, military, throughout the United States, do have model flying clubs flying in their local field vicinity. F.A.A., your Federal Aviation Agency, has no rules and regulations governing model airplanes and operations within an airport. This has been covered last week. These are known as federal aviation regulations, far's. Legally, with the permission of the Navy and Grumman and also in Bethpage where they fly model airplanes in Bethpage which is also an air field. I know Commander Vicks who runs Calverton for the Navy, has been approached for property to fly for this club here and it's just not feasible. There is not land available and that's about all I can say tonight. Thank you."

Supervisor Janoski, "Thank you."

Joseph Riggerio, "Good evening Mr. Chairman, ladies and gentlemen of the Board. My name is Joseph Riggerio. I work for Grumman Aerospace. I'm a program manager on the A-6 intruder program. I belong to Long Island Flying Eagles. I have approached the director of flight test, flight officer of our particular area of flying. They feel we are not in any danger to the F-14's, A-6's or E-2's where we are flying. I feel that the area we are flying is safe to the Grumman aircraft. The people who are directors of these various areas have told me that Joe, you're in a bad area. Get out. That's why we kept this particular field. Now being a program manager of the A-6 intruder, I would endanger my own program. God forbid if an airplane should hit it and I would feel safety towards my own program which I'm a representative of. So I feel it's unjust what is being discussed here tonight about we are endangering Grummans or the flight paths of the aircraft. If you look at the runways on your map, we are not in the flight paths of any kind of runways or any kind of activity. I would also like to comment to the Board that when F-14's fly or A-6's at low altitude and make noise, I think Mr. DiPierro also complains to Grummans about that also. I have nothing else to say."

Councilwoman Civiletti, "Are you saying you have the permission of the Grumman facility?"

Joseph Riggerio, "I have permission. I have talked. Because of our flying field, I have a concern towards my own. I worked for Grummans 30 years. And I felt that if we are in any kind of danger to Grumman, I wanted to know if our particular flying field was in the paths of any kind of flying."

Councilwoman Civiletti, "And you asked this of who?"

Joseph Riggerio, "I asked this of the director of flight test and flight ops."

Supervisor Janoski, "Is the director of flight tests or flight operations a member of the United States Navy?"

Joseph Riggerio, "No sir. They're a member of Grumman."

PUBIC HEARING, Continued

Supervisor Janoski, "You are surely aware that naval aviators are something that is guarded very closely and jealously by the Navy and that they do not like anything remotely to endanger their aircraft."

Joseph Riggerio, "I've also discussed this on a private situation with Commander Bantark who also works for NavPro in Bethpage."

Supervisor Janoski, "Well, rest assured that we're going to contact the Navy."

Joseph Riggerio, "He actually flies the A-6's. He's a BN. He does the acceptance flights for our intruders."

Supervisor Janoski, "Thank you sir."

Joseph Riggerio, "Thank you very much for your time."

Pat Tormey, Chairman Z.B.A., "Good evening. This appeal was before us as a use variance. When it became obvious that they could not meet the criteria of a use variance, they withdrew the appeal. I have the file if you would like me to give it to Mrs. Moore."

Supervisor Janoski, "Make it part of the record. Thank you Pat."

Pat Tormey, "It includes, among other things, the ground flight rules and safety rules of the Long Island Flying Eagles. Also I would just like to mention that as part of the hearing, the flying club offered to put on a demonstration for us so that we could see how far they fly, how noisy they are, what they do and that kind of thing. Because the appeal was withdrawn, the demonstration never went forward but this is a possibility that you might want to consider. Also, we have a tape because we had two hearings. If you would like Mrs. Stromski to give it to Mrs. Moore, I'd be glad to direct her to do that."

Supervisor Janoski, "Actually, the Town Clerk is the keeper of the records. So if you would give them to Mrs. Pendzick, I would be delighted."

Pat Tormey, "We'll do."

Supervisor Janoski, "The gentleman in the rear there."

Jeff Troy, "Good evening. Also from the Academy of Model Aeronautics in Washington D.C. I will be very brief. I don't want to badger the council. I would like to do, in light of all the talk about the Navy, is remind everyone that our 1988 National Championships will be held at Fetris Air Force Base, Navy Base (excuse me) in Virginia this year."

Supervisor Janoski, "Thank you. Mr. Benedict."

Councilman Boschetti, "I have a question before this gentleman leaves. You're from the National Academy of Aeronautics?"

PUBIC HEARING, Continued

Jeff Troy, "The Academy of Model Aeronautics. Yes, the National Association."

Councilman Boschetti, "Do you have a recommended parcel size for a facility such as the one we're discussing tonight?"

Jeff Troy, "We do have a recommended layout. Not necessarily a size and dimensions and stuff. Not for over fly areas and such as for initial pit area and operations area."

Councilman Boschetti, "In other words, you're not really concerned with the size of a parcel that would be used for a facility such as this."

Jeff Troy, "Our primary source of concern is the safety code which is the one that would effect the safe operations of unsafe operations of the model aircraft. And from what I've seen, this club certainly falls within the confines of the safety code."

Councilman Boschetti, "Ok. But you have no standard as to size?"

Jeff Troy, "No."

Councilman Boschetti, "Ok. thank you."

Supervisor Janoski, "Mr. Benedict."

Dick Benedict, Fanning Boulevard, "I know from the newspapers and talking to several of the Councilmen that there is talk about a noise ordinance in the Town of Riverhead. I have nothing against model airplanes, model boats or cars. But I just wonder if we're not a little premature with this thing. I was down at the Wading River beach the other day and there was two model boats there and I wouldn't want to put up with that very long. That noise was atrocious. So I just wonder if we're not too premature if we shouldn't wait. What will happen if we grant this and then we pass a noise ordinance that puts him out of business. Thank you."

Supervisor Janoski, "Thank you Dick. Phil. Mr. DiPierro, until everyone has spoken who wants to speak, I can't recognize you again. Phil."

Phil Kenter, "Operations Manager of Relay Communications. I'm speaking a little out of turn as I have another meeting to attend. I have a document I'd like to submit to the Town Clerk which pertains to an issue that will be raised later on this evening."

Supervisor Janoski, "Is there anyone else who has not spoken who would like to be recognized? I was waiting for your Mr. Kasperovich and wondering. Let's have at it."

William Kasperovich, Wading River, "You'll have to hold up all of the affairs here to get the reporters back. I think it's a battle of the kidneys again. I thought it would be good to get up here and talk. A man was referring to us old fogeys as vegetating."

PUBLIC HEARING, Continued

Irene Pendizck, "Mr. Kasperovich, that's the first time in eight years that you forgot to give your name and address."

William Kasperovich, "Well, thank you for bringing that to my attention. I'm glad you remembered my name. I live on 15th Street in Wading River. So that that it's for the record, my name is William Kasperovich. And just like the policeman at the terminal in Yaphank asked me to spell it while the house was burning down. K-a-s-p-e-r-o-v-i-c-h. I'm glad that the point of the noise was brought up because there's nothing specific brought out by this application. I feel that the application itself is not specific and detailed to warrant the consideration of the Town Board and this public hearing. However, you people choose this path and I must respond. As far as noise goes, we lived through an airport hearing. We lived through a motor bike hearing. We lived through numerous raceway hearings and no further need to be said about noise. Other than we know that noise is measured and we know at which point noise is not to be tolerated. There's nothing mentioned in the Planning Board recommendation with regard to this. I think this is an important point. The application should be done by the Flying Eagles. It should be submitted by the Flying Eagles. The Flying Eagles are the controlling item here and I have nothing against flying clubs or organizations sponsoring any sort of model involvements. The Planning Board did not mention anything as far as specific distances nor did they mention anything about electronic (I use that term in a broad and long encompassing sense) as a ring around this area so that no control could influence what could take over from the pilot of the plane. Nothing was mentioned for this control. Time wise, it depends on what has to be tolerated. But the Planning Board did not give anything except the entire day. And I think enough objection has been presented as to where these objections should have been accommodated in the application. The application does not specifically say. Now the flying club people seem to talk about one particular plane. One particular classification of plane. And yet, nothing is spelled out by restriction or by application that this is to be for one classification of model plane. I've got a whole page of these items that have not been accommodated. The two evenings that were spent before the Board of Appeals, were entirely more detailed and arrangements of all sorts were offered. And yet, nothing was made so that a physical demonstration could be seen and experienced to influence your judgment. Whatever we put up in the air, involves air rights. And we have again, Mr. Gentile's air rights as well as other neighbors as well as a strong possibility of public property air rights. Now, the application doesn't spell out that they're applying for limited air space. And consequently, it becomes a flexible item at this public hearing when it shouldn't be but I don't know. I seem to get carried away with these things. My parting remark would be, that if these gentlemen here that fill this entire room, would take one iota or one percent interest in the serious concerns of the Riverhead township, they would sure better the township itself. But we have here a major concern towards an adults' educational toy and I don't see that unless they have an adult's educational application for exactly what they want to do within their own rights, that we should not allow this application. Thank you."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you Bill. Mr. Moore, did I see your hand go up?"

Lenny Moore, Wading Rivear, "I happen to be the property adjoining both pieces."

Supervisor Janoski, "Can't you work this out with these people?"

Lenny Moore, "I tried. I'm the one that recommended to go there. The only thing I could see; as far as the overflying, there is overflying. They've overflowed on my property and I've seen them walk on my property and pick up planes and I've seen them walk on Leo's property and pick up planes. As far as crashing, maybe they ran out of gas or whatever. And as far as the noise, I work all day with tractors, the noise doesn't bother me. Leo works outside. He enjoys it. Maybe it bothers him. There is a lot of property on Gentile's thing where if they went down further more westerly down towards the other end, they'd be flying more in an open field not over his property which maybe would be beneficial. Thank you."

Supervisor Janoski, "Thank you Lenny. Is there anyone else who wishes to address the Board? I kind of thought so. Yes sir."

Jerry DiPierro, "I'm the brother of Leo. I've gone over to see my brother on numerous occasions during which time they were flying the airplanes. And constantly, there is an overfly. Whether it's accidentally or on purpose, I don't know. But I think the reason why Mr. Gentile picked this piece of property he flies on is because the adjacent property which is where my brother is. An airplane can overfly very easily which it does in numerous cases and it's very easily seen. So the point I'm trying to make out is, they could go down further like I mentioned. Probably the reason why they don't is because the danger to the people that do patronize the stand and they're in his own family. But like I say again, I've gone back there on occasions to see these airplanes and I stay on my limits of my property or my brother's property and watched them. And I so much as got an escort back to the house with an airplane over my head. Now, I can honestly say there is constantly overflying there. Thank you."

Supervisor Janoski, "Thank you. What else can we say about this? Is there anyone else who wants to add something new and enlightening to this hearing? I have a question. Who are you guys with the maroon jackets?"

Unidentified Man, "We're very interested. We're prejudice. We fly model airplanes."

Supervisor Janoski, "I'm sorry I asked."

Vincent Juliano, "I'm a teacher of Special Ed."

Supervisor Janoski, "You're not a rival gang or anything."

PUBLIC HEARING, Continued

Vincent Juliano, "No. In fact, we're in cahoots. I work in the state. I teach Special Ed. I like to fly model airplanes. And like everybody else in here, I'm people. You know. From the day I was born, I'm marked as to who am. I'm told where I can go. I'm told how I'm going to go. I'm told just about everything. Not only that, the government owns my body and my money. So when my airplane is in the air, it's the one time I'm free as long as I don't break the clubs rules. Because if I break the club rules, they down me and take my airplane away. It's that easy because we're people. There are allowances for mistakes. There has to be. You have them. We have them. But you don't make the same mistake twice. I'm not as good as this gentleman here. He's got his name engraved on the seat. He's into everything. He's good. Following you is tough but what's nice about model airplanes is that they're like babies. They are noisy at times. They're dirty. At times they go where they don't belong but they give you an awful lot of pleasure and they don't take away from anybody else. Now, if your grandfather and a little kid walks in that's yours, he's wonderful. But the little stinker down the block comes into your house, he's not so wonderful. So we are people. What you've heard is entirely subjective as is this. What is noise? It is a problem that the A.M.A. has been fighting. Not with other people but to lower the noise of the airplane. We have mufflers, silencers. We have two mufflers, magic mufflers. I don't read everything so I don't know all the names. But we have it."

TAPE ENDED

TOWN BOARD MEETING RECESSED AT 9:13

TOWN BOARD MEETING RECONVENED AT 9:32

Supervisor Janoski, "The meeting will return to order. The hearing is back in session. You can pick up where you left off."

Vincent Juliano, "I'm going to try. Thank you very much. I have enjoyed it."

Supervicor Janoski, "I understand why you're the way you are because I taught Special Ed for a short period of time and it tends to make you like that."

Vincent Juliano, "You know what's nice about it? If you do it right, you're never unhappy. I have been doing it for 21 years now. Anyway, I want to pick up basically and tell you really why I'm here. My club is the host club for the Eagles. I, at one time, belonged to the Eagles and I started my own club for what ever reasons and we didn't have a field. And the Eagles rented another field and gave us theirs. The Eagles ran into problems and they moved in with us. There is something I want to bring out. That's too close with the potential that we have 26/34 members including all applicants and they have (I believe) 35 or 40. I'm not sure. That's 70 people. On any given day at the height of the season, you will have about 30 people maximum including spectators. So that basically, you run maybe 10/15% of your club during a regular session. When you have a fun fly, you get maybe 60%. You never get everybody. Everybody is working at one time or another. I'm into this hobby. I used to be in sailboats. I come from East Harbor, moved out to the Island. I've lived other places and I took advantage of the Sound."

PUBLIC HEARING, ContinuedVincent Juliano, Continued

My wife is a quadraplegic. I can't go far or stay away long. I will be home by 11 o'clock. I will be home. There are times in Riverhead it's hard to get out of town but I don't suppose that's one of them. But the point I want to make is that; this is and has to be for me, a quick safe thing to do. I pick my wife up and put her to bed. I carry her around. If I get hurt, it's all over for us. We don't get that much help. But getting back to the hobby, the hobby is run by people. We make as many mistakes as anybody else. We try not to. We have an awful lot of field rules. There's no drinking. You will not run your plane in a hazardous manner. It's open to a lot of argument as to what is a hazardous manner. We don't really need anybody else to point that out. If you're standing on the field flying, you don't want anybody fooling around. Ok. I don't know. I don't know what to do. But basically, what we're saying is that we are people. We like to be presented as people, not as antagonists. We do everything everybody else does and we're not here to injure even by accident. We're not here to hurt anybody. We're not here to discomfort anybody. That's not our purpose. Our purpose is purely recreational. For some of us, that's a must. With that, I will say this; the Eagles are, for as long as we fly between the tractors now. The builder more or less has told us, when the men are on the field, you can't fly. When they're not there, we fly and the Eagles are with us. That's only going to happen for a short time. We will not fly with the Eagles in Riverhead. We will have our own field. If we can't get our own field, Brookhaven township has a field for us. So, when someone says; how about all these people coming in? You've got to have parking before all the people can come in. If you've ever been to Finks and you have any kind of a car, you're not going to park. That's one. Two, you don't want anybody in close proximity. If you're going to have any kind of a contest, if you have any brains at all, you want a lot of room between you and the contest people. You and the spectators. I'm sorry. Because you're going to be flying a reasonable amount of time. Many of the objections here are valid objections if you don't know what the true story is. And this is where we are. The truth is, if it was a dangerous hobby, I wouldn't be in it. If it was dangerous to anybody else, I wouldn't bring my grandchildren down. There has to be a limit. I don't think more than 15% of our two clubs are under 25 years old. That means that the rest of us are either young adults, middle aged or old fogeys. I'm 61. I think I've got another 30 years before I get to the fogey stage. But this is going to keep me where I want to be and I think it's reasonable to ask that we be permitted to pursue reasonably. We be permitted to pursue a legitimate recreation. Thank you."

Supervisor Janoski, "Thank you. We have some business that we'd like to take care of. So what I'm going to do is recess this hearing. Mr. McLendon, wait a minute. Let the record show that the hour of 9:40 has arrived. The Town Clerk will please read the notice of public hearing."

7:45 PUBLIC HEARING RECESSED AT 9:40

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, April 19, 1988, at 7:55 p.m. to hear all interested persons who wish to be heard regarding: The Increase and Improvements to the Riverhead Water District for drilling of Test Wells at Plant 5 and Plant 8.

(See Water District Minutes)

7:55 PUBLIC HEARING CLOSED AT 9:43

Supervisor Janoski, "We are going to re-open the public hearing on the Special Permit Application of Mr. Greg Gentile. Do you have a class tomorrow? Is there anyone wishing to address the Board on the matter of this application? Mr. DiPierro. Wait a minute. We've got somebody new."

John Hoinski, Wading River, "I'm just down the road from Leo. I've been in Wading River for 50 years and now starting with mini-bikes which is a recreation for some people; they infringe on our field, my garden. Now, then you come along and you got snow mobiles. They enjoy them things to no end and that's somebody else's field. They have a quarter acre with a house and yet they want to go all over the whole town. Now, comes winter time, November; here comes the gunners. Now, they say you have to have signs. You have to have this. They just go in there shoot up your place whether you want them or not. Now we have airplanes. It's for their good or our good or the town's good. I mean, 40 people come there and they have a club. The whole town around there has got 85 new people, 85 new house, kids and everthing included. They don't mean nothing to people today. We have to listen to their noises. I live a quarter mile away from there and I can hear the planes roar. Now, I don't care if they have it or not. It's not bothering me. I'm too far away but it's getting infringement on your private rights. Now, what is the air rights over your property? I have never asked anybody to know what the air rights are. How high do they have to fly over your property before they can land? Anybody have an answer to that?"

Supervisor Janoski, "No."

John Hoinski, "No. Now, they say they have a 300 foot area of a ball field. Say you got air rights of 100 foot over your property. How are they going to fly at a hundred feet and land on 300 feet without crashing their planes? I'm not a flyer but I'm just thinking. If I have 100 foot of air rights or even trees, what right do they have to come in on a slow glide and come into their acre over other people's property? I drove a tractor trailer for years and they had an air club over on Yaphank/Middle Island Road. Once, one bounced off the hood of my truck trying to go in for a landing. Another time I was coming down the road and they swerved off into and crashed into a tree. When I lived on 25A, a lost plane, I don't know where it came from to this day, crashed into a pole and landed in my yard when I was trying to put in a lawn and my son was ten years old at the time. Now, everybody has rights but the owners that live around there. I like to have things done too but not at

PUBLIC HEARING, ContinuedJohn Hoinski, Continued

the expense of somebody else and listening to that d--- noise all day long. It's not just one. It's 40 airplanes. Somebody is running there all the time and I live a quarter a mile away and I can hear them. They're not just running over their 300 foot. They're running and they come back chasing one another and what not. And you want to hear them things screech. You want to stay there when they're running wide open. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wanting to address the Board on the matter of this application?"

Bill Robar, "I'm with a different club than the Eagles and the Four Stars. I fly occasionally with the fellows. And the first thing; I'd like to rebutt what the man just said. Only four planes can fly at one time and that's a standard A.M.A. regulation. Second thing, I was wondering if it wasn't possible to get a field. Would it be possible for the township of Riverhead to allocate a site on township property for this specific purpose where it's out of everybody's way? Thank you very much. Appreciate it."

Supervisor Janoski, "Thank you. Is there anyone who has not yet spoken wishing to address the Board on the matter of this application? I see you."

Robert Nowak, Ridge, "I brought an airplane with me today so we can show you a little of what we're flying and you can understand how far away you can see the planes, what they can do, what kind of money we have involved in them and maybe we can answer some of your questions. If you'd like to just ask a question, I'll see if I can help you."

Councilman Boschetti, "I have a question. What kind of money do you have in them?"

Robert Nowak, "That plane right there is approximately \$700 sitting in that plane. The radio is \$150. The engine is about 150. You got the airplane. The kit is \$100 plus the time involved to put it together. Now, if I lost that plane... It took me about a month and a half to build it. It's not something I want to use in a bad manner. I learned how to fly with other members of the club. They started me out with a training model. That's an intermediate plane. You start with a trainer plane that's a high wing plane. To learn how to fly, it's very slow flying. So if you have any problems, it will upright and come back down to an easy flight level. And then after you progress, you get a little better flying ability, you go to a little faster plane which this plane is and it's also a four stroke motor which is little less noisy than a two stroke but it still confirms with the noise ordinance or the noise that the A.M.A. has set for their standards. Any other questions? The plane has a four and a half foot wing span. It weighs four and a half pounds."

Supervisor Janoski, "And it's orange."

PUBLIC HEARING, Continued

Robert Nowak, "And it's orange. You've got different colors on the bottom wing as the top so you can see it when it's upside down and that's just common sense. That's all."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board? Mr. DiPierro, did I see your hand wagging around there?"

Leo DiPierro, "I think that's about the smallest plane I've seen up there. In fact, I'm pretty sure it is. They have them.... I'd like to address Mr. Styles. A lady came here this evening."

Supervisor Janoski, "Please Leo, don't address anybody. Address the Board."

Leo DiPierro, "Ok. I had a letter from Jeffery Styles. I had called him about two years ago in reference to when the problem first started. And I'm wondering why the contradiction, a complete turn around. He writes a letter to Mr. Cachenko. In recent weeks, I have received several telephone calls from Mr. Leo DiPierro. He has been very upset with several aero modellers who have been flying on a piece of land adjacent to his property in Wading River. The flying site is owned by a neighbor who has granted permission for use but the flyers consistently overfly the property against Mr. DiPierro's wishes. Last week, a model aircraft crashed on the DiPierro property and it was retrieved by the flyer who neglected to ask permission to enter the premises. Various attempts to discuss this trespassing, both on foot and in the air, have been met with reported abuse and complete lack of sympathy and understanding. Mr. DiPierro has a meeting scheduled with his local representatives in the City of Riverhead often as 2:30 p.m. today. The flyers are reported to be members of your club. Situations like this do no good for the sport and I'm sure you appreciate and understand that. When a neighbor gets upset to the point where he will call this office several times and complain and the local flyers have not acted in their own best interest, flying model aircraft is a privilege that can be lost due to inconsiderate behavior. In many jurisdiction, the A.M.A. has worked with clubs to prevent imposition or ordinance that would ban model flying in wide geographic areas. Would you look into this problem please and see what can be done to restore some stability before it gets out of hand? Thank you. I would be grateful if you would contact me at your earliest convenience. I never got so much as a reply from Mr Cachenko what the problems are and so forth. It was totally ignored. And I'm inclined to believe that when they first started this flying endeavor, I don't even believe they asked the town if they were within the proper rights to conduct this. It took two years and steady complaints and they were ordered to stop. Only for me to find out that it was a non-permitted use all the while. So, how can I believe all these things I'm hearing this evening? This is, and I didn't write it, one of the petition signers who he is in the car, the radio controlled car. He writes; radio controls are not accident proof. Different frequencies can over ride the controller at any time. Now, I've tried to get the group to fly with Mr Becht, Al Becht. When I asked him why don't they let the group fly with him, no way. He wanted no part of it. It's his group. That's his prerogative. I'm wondering if I asked you for a permit, I'm thinking of operating a second Riverhead race-track on my property. Stock car races, I might be approaching you on that. Thank you."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you. Way in the back with the red tag. I don't remember your name but I do know that you have a wonderful accent."

Jeff Styles, "Thank you sir and members of the council. I'm not wishing to keep you past your bedtime. Heaven knows, I need all the beauty sleep I can get. I have a copy of the letter that Mr. DiPierro read from. And I think we all have to agree, he's a very persuasive talker because the words in the first several paragraphs are his and merely repeated for the benefit of the president of the club in order to give him the quote, factual, unquote, information that Mr. DiPierro presented to me over the telephone. So then the president of the club would respond which he did and I have his response. To my shagrin, I've only been in Riverhead three times. This is the third time. I know no knowledge of the flying field, its layout, people flying there, their behavior only as reported to me by Mr. DiPierro. So I don't think his argument in that instance holds much water and I don't think he can truly attribute the words to me, although I don't write a bad letter, I'll admit. But those were his words. As far as the stock car racing on his property, I had the good fortune to tour the area early today and I don't think more than one car at a time would be suitable. So I don't think a stock car race has to be feared. Thank you very much."

Supervisor Janoski, "Mr. President, did you wish to be recognized again?"

Tony Cachenko, "Just to clarify a point and to review his statement that Mr. DiPierro made. I received the letter from Mr. Jeffery Styles and I replied on July, 1986. I have a copy of that letter. I will read it briefly to you now and I will submit it to you. Dear Jeff: several days prior to receiving your letter on June 27th, I was contacted by Mr. John Vern of District II) that's for your benefit, an A.M.A. district vice president. We are responsible to him. He's in the entire New York Long Island area) regarding the matter of Mr. DiPierro. John and I have had a lengthy conversation during which I explained Long Island Flying Eagles position in this situation. It would be extremely difficult to go into detail about this matter. But please allow me to point out some facts that have been blatantly been misrepresented by Mr. DiPierro. Mr. DiPierro lives in a small house and the outer edge of his property which is approximately one quarter mile from our flying site. He has complained on several occasions to the owner of our flying site that we were flying over his house and causing him aggravation due to the noise. Upon hearing of this complaint, we attempted to discuss the problem with Mr. DiPierro. He has refused to talk to us regarding our flying. I might add, he'd come over on to Greg's property. They tried to speak to him. My father was there. He tried to speak to him. He just blatantly refused to talk to us at that point. The fact of the matter is that, if I flew our models in the immediate area of his home, we would not be able to orientate their flight due to the distance involved. What we explained earlier to you. In lieu of talking with us or the owner of the site, Mr. DiPierro has already pleaded his case to the Town of Riverhead, to the Riverhead Police and to the Town Attorney. The result up to this point, have been no grounds for complaint which there were at

PUBLIC HEARING, ContinuedTony Cachenko, Continued

that point. The owner of the site had contacted the Town of Brookhaven and arranged to have a decibel meter employed in the front of Mr. DiPierro's home to measure the noise level of our models. After flying our models in the usual manner, the meter failed to register any reading other than that of a passing vehicle in the adjacent area. We have attempted to invite Mr. DiPierro over to our field with the hope of teaching him about our hobby with negative results. We have had many of his neighbors from the area to see us fly with no problems whatsoever. (Inaudible) ...has the only complaint at this time that we have experienced. Additionally, no member of my club has ever crashed on his property or anyone else's in the surrounding area. The Long Island Flying Eagles have put on air shows at Brookhaven Airport, Sunken Meadow Park and I have been attended by several members of the A.M.A. including Mr. John Vern and hundreds of spectators. We have an excellent reputation and I refuse to allow Mr. DiPierro to, in any way, jeopardize that. Mr. DiPierro lives within several miles of the Grumman Aerospace Installation. He has constantly called to the installation to complain about their flights over his property. He has formally complained about the farmers using their tractors early in the morning. And just last week, he complained to a member of my club, Father Jeff Simmons, a minister, that his glider was disturbing him. The glider has no motor. Jeff, I have been in this army for over 30 years, I realize the great joy the hobby produces and I'm also aware of the flying site problems we all face. My corps consist of approximately 35 members which include school teachers, members of the clergy, police officers and businessmen. We're all aware of the problems that an individual like Mr. DiPierro can initiate. As I have previously stated, we have tried to deal with this problem as responsibly as possible. I will not stand by and have these accusations go uncontested. I invite you and any other representative of the A.M.A. to visit our flying site and fly with us for the day. I would welcome you being able to assess the situation for yourselves. I am sure that you will agree that we are acting as a responsible group of modellers. I thank you for your interest and situation and look forward to seeing you at the nationals later this month which at that time, by the way, was in Chickapee, an Air Force Base. And I will give you a copy of this."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board on the matter of this application? Yes."

Nick DiPierro, "We're getting into a bunch of contradictory statements right now. I have to contradict what I just heard about Mr. DiPierro calling Grumman and complaining about the noise from the airplanes over there. I work there. My brother works there and no one who knows anything about the good that Grumman does, this noise that Grumman so called makes, would call up about Grumman. We also mentioned before about a site that this club could use within the Grumman buffer zone. I also mentioned that possibility and other possibilities of the Pine Barren land that Suffolk County has in the Town of Riverhead. We could also explore that possibility. This can go on and on and we could have more and more contradictory statements

PUBLIC HEARING, ContinuedNiock DiPierro, Continued

and it can get a little not too nice up here I'm sure. But I think that's a fallacy. A big big fallacy about anyone calling Grumman to complain about their planes, especially the people who work there. That would be kind of stupid. Thank you."

Supervisor Janoski, "Thank you. Sergeant Grattan, you sure picked a good duty tonight didn't you. Is there anyone else present wishing to address the Board on the matter of this application? Without objection, this hearing is closed."

7:45 PUBLIC HEARING CLOSED AT 10:04

Supervisor Janoski, "Let the record show that the hour of 10:06 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, April 19, 1988 at 8:15 p.m. to hear all interested persons who wish to be heard regarding: The Condemnation Pursuant to Eminent Domain Procedure Law, of property at 49-53 West Main Street, owned by Channing and Barbara Reuschenberg.

Councilman Pike, "If I might, Mr. Supervisor, the capital facilities committee which I am a member and Mr. Boschetti is a member, has discussed this particular parcel as one in the downtown area that has a strategic importance. And I just want to get that in the record. That arises from a number of unique factors about the building. One is, is that it is both in the direct access of Main Street and of Griffing Avenue. Griffing Avenue, as you all know, the street that the court house sits on. And if you were to stand on Griffing Avenue and look to the south and the building were not there, you would have a view of the river. And similarly, if you were to stand in the middle of the main intersection of Riverhead and this building were not there, you would be able to see the river after which Riverhead is named. It is also immediately adjacent to the park of Grangebél Park. Grangebél was one of the few good signs of early planning in the Town of Riverhead and has been separated from Main Street by this building for quite some time. The building has some unique problems of its own. If you were to look at it, it has no parking. I realize does if you were to drive around behind. I believe they have a right-of-way behind the U.S.A. Title building. But the perception that it does not. We have previously had a hearing on this particular parcel. It offers an opportunity for one; the expansion of the park to Main Street to connect Main Street to the river. To three; to provide river and park views to seven buildings that would have increased potential for development or redevelopment. One of which we are also looking at the possibility assisting the private market if possible, to redevelop across the street. The basic public purpose are all of those things. And we have recommended to the Board to actively consider condemning this building for expansion of the Grangebél Park."

PUBLIC HEARING, Continued

Supervisor Janoski, "Is there anyone present wishing to address the Board on the matter of the condemnation of the Reuschenburg building? I was wondering what you were doing here. Now I know. Pat."

Pat Stark, Townscape, "I am chairperson of Riverhead Townscape. Supervisor Janoski, members of the Town Board, it was unanimously decided at a meeting a year ago that the members of Townscape would definitely approve of the demolition of these buildings. Grangebels Park has been one of our projects and we have been trying to get people into that beautiful park and we have been upgrading it along in conjunction with the towns. We approve of the demolition."

Supervisor Janoski, Yes."

Alice Summerville, Townscape, "I am also part of Townscape. Our town has one of the prettiest rivers going through our town than most towns don't have. It's a natural resource we have fixed up in the last ten years and it's really beautiful. Taking these buildings down would open it up so everyone that passes on Main Street can see the beautiful river and the beautiful park. I think it would enhance the look of our town and just make it a prettier place to live and be in. And the town looks so nice now with the boxes and the flowers and if those buildings weren't there, you'd see all the flowering trees that were there and townscape has planted. I agree with Mr. Pike that what he just said. I think we should take the buildings down just to enhance the beauty of the town. Thank you."

Councilman Lombardi, "Mr. Supervisor, has anybody gave a price yet?"

Supervisor Janoski, "The appraisal is 300,000 and I was wondering how much townscape was going to contribute to that price. Alice."

Alice Graff, Riverhead, "I'm in full accord. That building has very rarely been rented. It's been sitting there like a dumb dumb and it's time that that went down."

Supervisor Janoski, "Yes. Mrs. Boyd."

Louise Boyd, "Supervisor Janoski and your council, I would like to say I was born in Riverhead and I have seen many people come and many buildings come and go with them. And I'm telling you, it would be a great asset for us to maintain and build up the old Benjamin building and demolish the other ones. I could just see it in my mind and I just hope that we're able to pull this off. Thank you."

Supervisor Janoski, "Jerry, didn't you want to be recognized?"

Jerry Duval, Riverhead, "I remember going to Grangebels Park back when I was a child with my father and fishing by the falls there and the park was open and green and I'd like to see it returned to that state where it was open on to Main Street and you had a full view from the corner of the Benjamin building across to the falls and to the river and the lake that is formed by that dam. It's a

PUBLIC HEARING, ContinuedJerry Duval, Continued

beautiful park, it's a beautiful lake formed by that dam and I think we'd lose a lot of it by having those buildings there that block the entire view of that part of the river, the head of the river and that's what we're named after. So I support demolishing those buildings, opening that park up and making it a more scenic downtown area. I think it would enhance the property values of the area. I think it would enhance the commerce in the downtown area. I think the taxes that would be lost from the demolition of those buildings would be recovered by the development of the rest of the village and the increased commerce down there because of the beautiful effect of having an open mall in the downtown area. It would increase the beauty of the downtown. It would increase the commerce down there because people would come there, walk through the park and park across the street in the wonderful new parking area that the town has built in the First Street area. So I think it would be a positive step for the town to take to demolish this building."

Allen Smith, Riverhead, "During my tenure in that chair, I supported the opening of the river by the acquisition of the properties along Peconic Avenue. I have absolutely no problem with the theory. It is a good idea and it should be done. My quarrel is, is that you are not in the same position that we were in in 1976. You were in a very much different situation then the town found itself in 1976. You have a large percentage of real property in the Town of Riverhead that is off the rolls. You are talking about taking still further, commercial property off the tax rolls for the purposes of preservation. I agree with it. I know how to do it. I now had to add the assessed valuation that is necessary to pay for the bond issue, to pay for the lost revenue that is inherent here. But what has happened over the passed decade is that we have concentrated on the opening of the river if you will. We have not concentrated on the consequences that these activities have upon the school district and may have upon the children of the community. My support of the project is predicated upon some meaningful effort to see that the result is not paid for by the school children of the Riverhead school district. I would make an additional comment. Seeing that it's late, I get beat up on a regular basis for representing private enterprise, I will correct Mr. Pike. Grangebél Park had nothing to do with the insight by the governing bodies of the Town of Riverhead. It was quite to the contrary. Grangebél Park would have never been but for Robert P. Griffing and his father Timothy. And in fact, the very site where you now wish to condemn this building, was offered to the Town of Riverhead along with the balance of the property. And the public said; no. We don't want it. And I can tell you, I didn't know that Jerry was that old that he can remember all the structures that were there. I think he missed some of them. He's probably a little younger than I. But when that park was maintained by George Blodgett and Mr. Robert Peekar, it was in a h--- lot better shape that it is today. And it was a real pleasure to be there and watch Mr. Blodgett maintain the trees that are out on the little island in the river behind where the bank building is today. I don't think a municipal employee has been out there and attended to that island in 20 years.

PUBLIC HEARING, ContinuedAllen Smith, Continued

I know the spillways haven't been fixed in the longest time. So I'm in favor of it but I'm not necessarily in favor of some of the rhetoric that comes along with it. Thank you."

Councilman Pike, "If I might. If you'll very carefully check the transcript of this hearing, I did not say good municipal planning. I said good planning. And I would also just point for the history buffs around here that Robert P. Griffing is the man who gave my father his first job and the man after whom I'm named."

Supervisor Janoski, "What else can I say? Do you really have an opinion on this? Come on up here."

Vinnie Scialino, Riverhead, "I'm in favor of the abandonment and knocking the building down. The last time I checked, the buses still park in front of that building. Well, I don't think that building would be abandoned today if something would have been done about taking the buses from in front of there."

Supervisor Janoski, "I disagree with with you but I'd probably get sued."

"
Vinnie Scialino, "Ok. Well, it didn't do it any good. You know, I want it knocked down because I like... Today, people want to see the river and it would do Riverhead good to see the river. I want you to continue down Main Street and get rid of the Scott building, the old Scott Gas building. I want you to continue down there. There's a little shack on the right hand side that's sitting there. If I say the term I'm thinking, the paper is going to put it in there and I don't like those kind of headlines. So I'm not going to say it. Let them think it of themselves. West Main Street, Lou Boschetti, I spoke to you a number of years ago and I know at that point, the whole Board don't like West Main Street. Nobody likes West Main Street. Everybody going to the courts, they come off the Expressway and that's Riverhead, just what they see there. So we have got to do something about cleaning it up. But Allen Smith is making a good point. We're losing business. We're knocking down a building that could be business. It could be paying taxes but it's a result of what wasn't being done before. I think if it was a viable piece of property, it was making money and producing a going business, we wouldn't be thinking this way. And just like the building across the street, it's an eyesore right now. Ok. That's our answer. We're going to make that building valuable when we get rid of the other building and that's okay with me because we're making something valuable. That's like a round about way of saying that the thing we have right now is garbage and we can make it good and that's what I'm talking about. That's an eyesore on the corner there. So let's go ahead and do it. But I don't know what stopped us from getting rid of the buses years ago but they should have been gotten rid of years ago. And I think even with that building out of there, it's still not going to be such a nice situation with those three or four buses parked there. You want to go one step further. Get rid of the buses. Park them some place else and really make it a nice situation."

PUBLIC HEARING, Continued

Councilman Boschetti, "I'd like to make a comment on that. Vinnie, some time ago, we had discussed removing the buses from Main Street and we had gotten some verbal assurances from the bus company that that would be adhered to. In other words, they were going to park at the Railroad Station for their lay overs. There has been, I can't tell you how many, pieces of correspondence back and forth between the town and the bus company and Suffolk County that regulates the routes and everyone agrees that it would be done. But as you mentioned tonight, it still is not in effect for whatever reason. But we do have some agreements from them that they would park the buses for lay overs at the Railroad Station."

Vinnie Scialino, "I wasn't criticizing the Board for what wasn't done. I was stating that I know you are aware of the problem. Many many years ago, you've been aware of the problem. And I'm just stating that it would be nice if it was taken care of. I realize that it's not just dragging your feet, that there are problems why they're not removed. I think you agree with me that that would be a better situation if they weren't there. Another thing, you just gave me an idea. A lot of people stand under those overhangs and those buildings there waiting for those buses. Maybe we're going to have to do something about that too to keep the people out of the weather. If the buses remain there, we have to put up more or we have to put up a shelter. We don't have any. We have benches there right now. So if the people are going to be waiting for the buses, we're going to have to do something in that respect because it's not nice around there all the time."

Supervisor Janoski, "Bill."

William Kasperovich, "I should have gone to law school because then I could see eye ball to eye ball with some of these fellows that got educated in a manner that I am oblivious to."

Councilman Lombardi, "Stay the way you are Bill. I like you better."

William Kasperovich, "Well, I'm getting down to my fighting trim and I might get in the ring with some of you gentlemen. To propose to the public an eminent domain procedure, a reason is to see the river, is ludicrous. For what beauty, what aesthetics are you talking about? Now, you offer a reason. That's alright. You don't listen to me anyhow. You offer a reason for eminent domain procedure to expand the park for the public. I don't see the public using that park. I don't see anybody counting the number of times that I asked the police to come out there and maintain law and order or to chase some of the nondescript individuals that they don't want to bother with. But the public don't use this park. And for you to offer it as a reason, Mr. Pike, is not an eminent procedure. Certainly, to get into the commercial market business, is also no reason to get into eminent domain procedure. And so, to use this legal device with which to rearrange a commercial situation in downtown Riverhead, I can't see an eminent domain procedure. And if I had the money for attorneys, I'd sure enjoy fighting you on this because I think you'd look silly before a judge using these reasons for an eminent domain procedure. Now, I remember that area because I use to shop in the sporting goods place in my fishing days when I

PUBLIC HEARING, ContinuedWilliam Kasperovich, Continued

was a fishing enthusiast. There was a good sporting shop there that carried the needs of this area. I remember there was a nice movie house there that I use to attend. And nobody worried about seeing the river in those days. Now, all of a sudden, we need a view of the river. So I don't see that this is correct or proper procedure of eminent domain because you haven't given a valid reasonable purpose for the public to profit. And the public is what is served with eminent domain. I'm sure you're offended having a lay person tell you the law but it has to be."

Supervisor Janoski, "Thank you Bill. Is there anyone else wishing to address the Board on the matter of this proposed condemnation of the Reuschenburg building? Yes."

Jane Arnold, Flanders, "Sorry. I didn't come here prepared to say anything about this. But I agree with this gentleman. I have to pay Riverhead Schoold taxes and they're (believe me) quite a lot and we're going to loose more. That's a side issue at this point. But I feel that if you could come along and take away somebody's property and destroy it, people own that building. They've spent a great deal of money, I happen to know, repairing it. I looked in some of the windows today which was the first day I was aware of any of this. There's new flooring, new walls, new installation, painting. They've got people coming in there, I think. There is one new tenant and three more coming. And yet you can go in there and take away their building which is not an ugly building. It's a nice place. But I'm surprised there is no one from the ownership here. Could you tell me why? Do you know? Don't they care? I think they care."

Supervisor Janoski, "I know the Reuschenburgs and I'm sure that if the Town Board proceeds with this condemnation, we will hear from their attorney."

Jane Arnold, "Oh. In other words, you can do it and then they must challenge you. Is that how it works out?"

Councilman Pike, "They have that right."

Jane Arnold, "Well, I think it's horrible that you'd even think about it. Again, I think for a very frivolous and very silly thing so that somebody who won't be there for five years can look at the river."

Supervisor Janoski, "Can I ask a question? I hadn't noticed that the vacant store fronts were getting ready for occupancy. You said that the vacant store fronts there were getting ready for occupancy."

Jane Arnold, "Go look. They have all new flooring. They've walls and buildings. I understand that the owners themselves were going to reopen the laundromat which we could certainly use. That whole thing is all as of today, all new insulation, new floors and I guess they're just waiting to put up the final walls. That building is not abandoned. It's all been repaired and fixed up and it really looks nice. So how can anybody say it's abandoned and horrible. There are others who believe. There are plenty of other

PUBLIC HEARING, Continued

buildings a lot worse than that. Nobody is talking about ripping them up. And there again, so that somebody can have a view, I think that's really bad. That's my own feeling."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Board on the matter of the condemnation of the Reuschenburg building? That being the case and without objection, I declare the hearing closed."

8:15 PUBLIC HEARING CLOSED AT 10:30

Supervisor Janoski, "Bill, is it okay if we do the resolutions now?"

William Kasperovich, "Well, since you made it obvious that you're not listening to a thing when I get up there, I don't have too many more words."

Supervisor Janoski, "We're going to do the resolutions unless you have some question on them."

Bill Stillwagon, Riverhead, "I just wanted five minutes to say something. If there will be five minutes some where along the line, I'll wait. I was just asking the question."

Supervisor Janoski, "Well, why don't we get it done."

Bill Stillwagon, "It's up to you. I'll wait until you finish."

Supervisor Janoski, "If we wait until after resolutions, you are not going to have an audience. So why don't you do it now."

Vinnie Scialino, "Well, what I'm going to say, you don't have any domain over. You can't make any decisions about it. It's the school budget. I just want to take the opportunity to talk about it and maybe get it into the papers and clarify some of the things about the budget because it's going to be a hard sell this year. And the reason... I believe we have 17% increase in the school budget this year. And the primary reasons for the increase, one of them is the Empire State Insurance Policy. That has doubled. The other is a mandated asbestos removal in the school. And the third is a mandated oil tank removal in the event that they prove to be leaking. There was an increase in the teacher's budget, their salaries. But they are still paid less than the surrounding school districts. This is not only a Riverhead problem. Right now, we do not have New York State budget because the State Legislatures that are on Long Island are holding up the state budget because Governor Cuomo does not want to allow any more money to help out the different school districts. We have an assessment program. The Town of Riverhead's problem is that we're not assessed properly when it comes to allocation of money. We don't get enough money based on the way we're assessed. If we did get the right amount of money fairly assessed, there would be a reduction in school taxes. People are complaining that there is waste in the budget. I don't know of anybody that's ever been made since the beginning of time, that people haven't complained; there's waste. The only problem here is, when you have a town budget, you attack the

PERSONAL APPEARANCES, ContinuedVinnie Scialino, Continued

town people that make up the budget. When you have a school budget, you don't attack the Town Board. You attack the children and you make the children pay because you don't like the amount of money that's being spent. It's very easy to say we won't have a budget. We'll vote it down. I don't believe we should be paying for our taxes through the school anyway through land taxes. I believe it's ridiculous to begin with but we're stuck with it. It's never going to change. If we knock down a budget and go to an austerity budget, we're saving 6%. That still leaves us 11% that we still have to pay for. What have we gained? You don't allow the kids to go to sports. You don't allow any activities after school. Not even the chess. You like chess and you don't like sports, you don't get that either. I have worked for the town in the recreation program close to 20 years. Stan Grodski, we worked out wrestling programs, gymnastics, whatever. We can't even buy a room once we go on austerity. You got a lot of money you want to spend, you never have it in this situation but you do like to spend money in recreation. You can't rent a room, the gym. You can't rent the wrestling room. You can't rent the weight training program. Ok. In addition to the sports being stopped, the area in which the buses pick up the children now goes from a mile to three miles. You got a lot of single parents out there. At 7:30 in the morning, the kids are picked up and they are taken to school. At 5 o'clock at night, the kids are back. That enables the mother to work until 4, 4:30 and she's home with her kids. Take that away from her, she's got to take her kid to school. Alright. You want her to take her kid to school early, she will take her kid there and she will get there ten after seven. The kid will hang around for 45 minutes. On the other hand, the kid will get back from school early. The mother will go back to work and try to get some money. Now, you've created more latch key kids. Do you know what that term is? The kids are left home alone. How much money are we going to save by knocking this budget down. Let them walk they said. Let them walk. If you want them all to walk, seventh graders, nine year olds, you want them all to walk, okay. Whose problem is it? It's all our problem. You know. We've got to suffer the pain of paying the bill because we haven't done what we were supposed to do. We haven't gotten behind our legislatures and told them we need more money. So we're going to get mad when the budget comes in and say no budget. We're going to get ticked off and we're going to let the kids pay. Ok. You guys want to write something in your newspaper? Try to write something in it about the school budget and how it's going to hurt the town. We've got problems with drugs. We've got problems of pregnancies. We spent tons of money on pregnancy to be taken care of whether it be funded by federal money or abortions or whether it be to take care of the children after they are born or whether it be prenatal care, the whole thing. This is created when kids are left alone. They're not supervised. You want drugs, take a kid away from a sport program. Not every kid is a scholar. Not every kid is going to go to college. He stays in school because he likes football, because he likes weight training. Some people can't understand that. But you allow the kid to stay in school and do what he's supposed to do, he's not out on the streets. He's not going to be taking drugs because somebody pulled his last year of eligibility. This is the whole story. Some people don't want to hear it. They think the h--- with it or the heck with it. I'm sorry. I'm going

PERSONAL APPEARANCES, ContinuedVinnie Scialino, Continued

to take it out on the school board because there's waste because there's a doctor in a position that shouldn't be a doctor. He shouldn't have gone for extra education. He shouldn't be looking for extra money. So because he's getting extra money, we're going to knock down the budget because there's too much money going to doctors when they should just be regular teachers. We've got doctors that are doing programs that can be regular teachers and paid less money. So we shouldn't expect doctors in that position because they're getting paid 60 thousand instead of 40. These are arguments we're getting right now. You got an argument against the budget, fine. I'm telling you right now, if you vote against the budget, you're attacking the kids. I'd like you to put that in your newspapers. Thank you for your time."

Supervisor Janoski, "Ok. Let's take up the resolutions."

Bill Stillwagon, Aquebogue, "May I speak for five minutes? I appreciate this free time. I was unable to attend the last meeting on the issue of the application of the Martin Kart change of agricultural to business "B" on the Main Road in Aquebogue. We're talking about a fair sized garage and tiny house on a one acre parcel. And I come up here and I can stand in front of you and I could talk to you about grossly inflated prices bordering on a half of million dollars. I could stand here and tell you about outlandish greed but I won't do that. I'm here to talk about fair value and I did a little bit of research and I'd like to share that with you. It involves six houses that were recently sold in an area surrounding Mr. Kart's house. Each house is in good condition. Each house has two stories. Each has a partial, full or finished basement. Each is heated with oil or gas hot water. All but one has a detached one and a half to two and a half car garage. One has an addition to its one and a half car garage, a two story barn and a two bedroom apartment. One has a deeded dock space. Three of these are business properties. All have between six and nine rooms and all between 30 and 75 years old. The dates of sale, the location and price follow: December, 1986, Hallock Street, Riverhead, \$125,000. In March of last year on Riverside Drive in Riverhead, \$140,000. In April of 1987, last year, Main Road, Aquebogue, \$152,000. In July last year, West Lane in Aquebogue, \$167,000. In August last year, Riverside Drive in Riverhead, \$145,000. And last September, Shade Tree Lane in Aquebogue, \$165,000. Not one of those is even half the price of what the concerned party is asking. I'd like to give the data and the breakdown to the Town Clerk. And I thank you very much."

Supervisor Janoski, "Thank you Bill. Allen, are you wanting to be recognized?"

Allen Smith, Attorney, "I'd like to reply to Mr. Stillwagon if I may. Mr. Stillwagon is continuing an attack on Mr. Kart based upon falacious and misleading data. And he is not only unfair, it is unconscienable. To put in the record that he is comparing residential structures on Hallock Street with property on Route 25 at this particular location is ludicrous. And I tried to deal with this type of hysteria in a gentlemanly fashion and it just gets to

PERSONAL APPEARANCES, ContinuedAllen Smith, Continued

the point where, to sit there and listen to that type of stuff and leave it go on responded to is not appropriate for my client. Mrs. Brown stood up here the other day and cited the \$170,000 sale which was the property to the west of Kinney Chevrolet. It's a parcel that is smaller than Mr. Kart's on a right-of-way set back from with no frontage whatsoever on 25. If you compare the lot size and the price paid for that house, (and I'll get it for you and give it to you in affidavit form) the price almost exactly is the price the Karts are asking for their property. And who is Mr. Stillwagon and who is Mrs. Brown to tell Mr. and Mrs. Kart what to ask for anything? Again, it comes down to that that is not the criteria of zoning. If I decide to sell my office on Roanoke Avenue, does Mr. Stillwagon get a say in what I ask for it? Is it what I ask for it got anything to do with whether it's appropriately zoned for a business use? All they're attempting to do is hammer to good people who work long and hard in this community with a spurious issue. And they've been out in the community since that hearing trying to embarrass Mr. and Mrs. Kart because they have the audacity to ask for a price for their property. It's just unfair and I'm not going to leave it alone. I am going to start answering that type of emotional non-issue type of thing. And I'll supply you with an affidavit on the other parcel. The other parcel was bought by Kinney Chevrolet."

Supervisor Janoski, "Thank you. Bill."

Bill Stillwagon, "I'm not going to address those attacks. The point was missed entirely. The fact is that we can not rezone because an individual can't get an asking price for his property. We can't rezone because the claim is that the property is next to a business area. If you do that, the next residential house now next to a business area. And if you do that, the house next to that will be in a business area. We can not continue to rezone, spot zone just because somebody can't sell their house. That is the point and no other thing. Thank you."

Allen Smith, "Mr. Stillwagon is exhibiting his ignorance of zoning and planning. He doesn't know what he's talking about and I don't think he'd be here other than the parcel is immediately along side of his. some attention to what I said at the last hearing, what I said when Mr. Boschetti and I locked horns on it to some degree, was the lack of offers for the property as it is currently zoned. That's the issue. And whether Mr. Stillwagon likes it or not, the physical facts are that that is not an appropriate parcel to be zoned agricultural which it is zoned today. And the Planning Board of this particular community agrees with me. And they've recommended that it be changed to a use that is a commercial use. I'm just getting down to the one fact that we've got to start dealing with the issues of zoning in this particular community not on an individual personalized basis which seems to be the thread that Mrs. Brown and people like Mrs. Brown constantly coming up here and saying; if you don't start dealing with these issues on good planning basis and recognize that property such as Mr. Kart are not viable as residential areas or for agricultural purposes. You're never going to be able to afford the beautification of downtown and we are not going to be able to afford our school budgets in our community. We are going

PERSONAL APPEARANCES, ContinuedAllen Smith, Continued

to be on austerity. And it's going to lie to the door of Mr. Stillwagon and Mrs. Brown and people like them who constantly come up here and beat up people who attempt to spend money and do things in this particular community and that's the message."

Supervisor Janoski, "I'm not going to have a debate here. This can go on all night. It's getting to be 11 o'clock. You know, you don't have a right to speak. But Mrs. Brown, I'll be d----- if you're going to get me to deny you the right to speak. So go right ahead."

Betty Brown, Peconic Bay Blvd., "I would like to say that if Mr. Smith is planning not to leave it alone, neither is Mrs. Brown. And if he misinterpreted my intent, my intent was not to tell Mr. and Mrs. Kart what they can or can not ask for their property but I was exercising my public right at a public hearing to bring that information to the Board and tell you that that is not a hardship that Mr. Kart can not sell his land. Excuse me. And that the zoning should not be changed for that reason and that the price was out of line. And to Mr. Smith I say, give us a break."

Supervisor Janoski, "Let's take up the resolutions."

Resolutions #263 - #299 contained on pages 520-587 of 1988 resolution book.

#272 DETERMINES SIGNIFICANT ACTION.

Councilman Pike, "Speaking of business development, 272 is a commercial project for over 3,000 square feet for business "B" zone along County Road 58. We are determining that this may have a significant impact on the environment and calling for a scoping hearing."

#285 APPOINTS TOWN PLANNING DIRECTOR.

Councilman Boschetti, Just before voting, I'd like to say that I have had a problem with this particular position because I did not feel its function would be comprehensive enough but I do recognize this department needs a department head."

Supervisor Janoski, "Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 11:02 p.m.



Irene J. Pendzick
Town Clerk